

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GREAT AMERICAN INSURANCE
COMPANY,

Plaintiff,

v.

LYNDEN INCORPORATED, et al.,

Defendants.

CASE NO. C14-89RAJ

MINUTE ORDER

The clerk issues the following minute order by the authority of the Honorable Richard A. Jones, United States District Court Judge.

The court DENIES the parties' stipulated motion to continue the trial date. Dkt. # 39. Among other things, not all parties who have appeared in this action signed the motion.¹

The stipulated motion raises more questions than it answers. The amended complaint names 17 Defendants. Just two of them have appeared. The record contains evidence that 3 of them have been served; it is silent as to the remaining 14. Plaintiff just this month filed a dozen executed waivers of service dated in January 2014, six months before Plaintiff filed its amended complaint. Those waivers would now appear to be

¹ Counsel for Lynden Incorporated, an entity that is no longer a Defendant in this action, signed the stipulation; Brown Line, LLC, a Defendant who employs the same counsel, did not sign the stipulation.

1 irrelevant, because what matters now is whether Plaintiff served its amended complaint
2 on the 17 Defendants. Plaintiff just this month sought summonses for three of the
3 Defendants, suggesting that it has waited more than nine months to begin serving its
4 amended complaint on at least some Defendants.

5 The record leaves the court with the impression that almost nothing has been done
6 to bring this action to a conclusion. Discovery has expired; the deadline for filing
7 dispositive motions has filed; and the trial date is July 13, 2015. It seems exceedingly
8 unlikely that trial will occur on that date, and the motion before the court suggests that
9 Plaintiff believes this action will resolve without trial. But, before the court can impose
10 an appropriate schedule for bringing this action to a resolution, the court needs
11 substantially better information from the Plaintiff.

12 The court orders as follows:

- 13 1) No later than May 5, 2015, Plaintiff shall file a statement informing the court
14 which Defendants have been served. As to any Defendant who has not been
15 served, Plaintiff shall explain its efforts to complete service and when it
16 expects to bring those efforts to completion. Plaintiff shall be specific, and
17 shall at a minimum include the dates on which it attempted service. Plaintiff
18 may also explain, to the extent it is relevant, any informal communication it
19 has had with any Defendant who has not been served.
- 20 2) The same statement shall include Plaintiff's proposal for bringing this action to
21 a resolution, including an explanation of how much time is necessary for each
22 step in that process.

23 Dated this 21st day of April, 2015.

24 WILLIAM M. MCCOOL
25 Clerk

26 s/ Rhonda Stiles
27 Deputy Clerk